

WISHA ADVISORY COMMITTEE (WAC)
MEETING MINUTES
November 10, 2004
L&I Headquarters Building, Room S117

Members Present: Michael Roozen, Washington Bulb Company; Sharon Ness, United Staff Nurses Local 141; Claude Golden, The Boeing Company; Tom Egan, Board of Industrial Insurance Appeals; Ed Wood, Jr., Communication Workers of America Local 7818 and Tim Gottberg, GLY Construction

Members Not Present: Larry Bindner, WA and Northern Idaho District Council of Laborers; Randy Loomans, Washington State Labor Council; Glen Foresman, Top Food and Drug and Michael Silverstein, Department of Labor & Industries

Guests: Scott LaBar, Educational Service District #112; Donovan Quebedeaux and Amy Brackenbury, Building Industry Association of Washington; Gregory Chryst, OSHA Region X; John Dziedzic, Washington State Senate; Amber Carter, Association of Washington Business; Amy Evans, House Republican Caucus; Jill Reinmuth, House Commerce and Labor Committee; Clif Finch, Washington Food Industry; Janice Camp, University of Washington; Carolyn Logue, National Federation of Independent Business; John Carlson, Associated General Contractors of Washington and Julie Boyer, Sterling Associates

Staff Present: Steve Cant, Michael Wood, Anne Soiza, Gail Hughes, Barbara Silverstein, Heather McCormack-Martin, Stefan Dobratz, Suzanne Mager, Joel Sacks, Rick Goggins, Jennie Hays and Chuck Hitchings

Recorder: Gerald Franks

Opening Remarks – Steve Cant

A draft version of the new WISHA Advisory Committee web page was distributed for review. The only change requested was to Sharon's organization (United Food and Commercial Workers Union). The webpage is now available for viewing at www.lni.wa.gov/Safety/Topics/AdvComm.

Introduction of new Member Michael Roozen – All

Michael Roozen of the Washington Bulb Company was introduced as the newest employer representative. Michael gave a brief description of his background and interests and said that Washington Bulb was started in 1956 and currently has 200 employees. Michael thanked his predecessors, Michael Gempler and Phil Hull, and is looking forward to serving on the committee. Steve said Michael was highly recommended by both the Association of Washington Business and the Washington State Farm Bureau.

SHARP Update – Barbara Silverstein

Barbara provided a brief overview of recent SHARP activities and reports that are available via the SHARP website.

Occupational Health Surveillance Activities (OHSA):

- Surveillance data is being used to direct occupation health intervention activities.
- The Adult Blood Lead Surveillance annual report to NIOSH has been completed.
- Fatality Assessment and Control Evaluation (FACE) narratives describe a trench collapse, a drywall sprayer burned by a flash fire, an apprentice carpenter struck by plywood sheets, a roofing foreman run over by a fork truck. There have been 13 construction fatalities in 2004 as of September 9.
- Work-related asthma surveillance.
- Work-related hospitalized burns.
- A periodic analysis of injury types which are the major source of injury burden (Big Dig) is available. These injury types are responsible for over 90% of all compensable claims, costs and time-loss days.
- Biennial workplace violence, annual WMSD, WMSDs in health care and Stilt-related injuries reports are due in December.
- SHARP has applied for federal funding to enhance their injury/illness surveillance activities focusing on opportunities for prevention.

SHARP Research Activities:

- A five-year prospective study funded by NIOSH of upper extremity musculoskeletal disorders in Washington.
- A comparison of long-term earnings consequences for those with compensable CTS, upper extremity fractures and non-compensable dermatitis claims.
- The impact of consultation and enforcement efforts on claims rates.
- Working with electrical contractors and unions on educational materials to address safety and health issues most important to the industry.
- Education materials for reducing cuts in food processing plants (draft distributed).
- Improving safety in Washington hospitals to help retain nursing staff.

Barbara distributed a 2004 United Health Foundation State Health report. She pointed out that occupational fatalities (deaths per 100,000 workers) in Washington have dropped significantly since 1990 and we now rank second best in the United States.

Results of Cost Allocation in Phase II – Julie Boyer, Sterling Associates

The agency received an audit finding from the state auditor several years ago that found that the agency was using funds from one particular fund to benefit another, which is a violation of the State Budget and Accounting Act. The audit found that about a dozen different funds within L&I were benefiting from the contributions made by the Workers' Compensation Trust Fund (608/609) to support the cost of agency administration. L&I contacted with Sterling Associates to look at what was needed to correct the situation from an independent perspective and develop a system that the agency could follow to prevent violation of the act in the future.

The agency decided to implement the new process in two steps to minimize the impact to the various agency funds. The initial request to provide funding for agency administration from all funding sources went to the Legislature last fall, passed in the spring of this year and went into effect on July 1, 2004. In this phase, over \$1.3 million in administration costs were shifted from the trust fund to various other funds such as the general state fund, asbestos, etc.

In phase two, the agency has submitted a request to the Legislature to be implemented on July 1, 2005 to redistribute the remaining costs of legal services and information services. In this phase, the contribution from the general fund and other agency funds would increase by almost \$3.4 million with a corresponding decrease from 608/609 funds.

Julie said if anyone had questions or comments to please contact her or Barry Rau at Sterling Associates and added that today's cost allocation presentation is available to other groups on request.

Prevention Initiative – Gail Hughes

L&I has been working to develop a new prevention approach over the last few months to help employers manage claims and reduce employee exposure to workplace hazards. The agency's new Prevention Services will begin on November 15, 2004. Coordinators will be monitoring injury rates and experience factors to identify employers who need assistance the most. L&I will offer these employers a package of prevention services geared specifically to their needs based on their particular workplace and injury history.

The agency is doing this because employers who pay workers' compensation premiums are entitled to services that will help them manage their claims and to reduce the risk of employee injury and illness. We also hope to raise awareness with employers who need this information the most and make sure they are able to easily obtain it.

With this initiative, L&I will offer to conduct a comprehensive assessment of an employer's needs and offer an appropriate package of services, which could include:

- A review of workers' compensation claims with opportunities for loss control.
- An onsite safety and health consultation.
- Assistance with establishing an accident prevention program.
- Recommendations for return-to-work programs for injured workers.
- Training and education for employees and supervisors.

The agency is looking forward to using this service to build new relationships with many more employers and would like the members to share this information with their organizations.

A plain language update was distributed that shows which rules have been published and those WISHA plans to publish in 2005. The rewrite of the general industry rules should be completed by mid-2006. The Innovations Task Force committee will be meeting today to discuss four standards including lead and asbestos. Gail made available CDs of the September 2004 issue of the Safety and Health Rules, Guides and Policies.

Cholinesterase (ChE) Monitoring Update – Stefan Dobratz

The number of handlers with baseline determinations totaled 2,655 in year one with 612 having follow-up tests and of these, 117 had varying levels of ChE depression. ChE testing costs in year one totaled over \$199,000. The number of participating employers was 370, and 140 requested reimbursement for the costs they incurred. Stefan said the majority of the depressions occurred early in the season, and that no control group was utilized for the exposed population but was used for the laboratory testing.

A draft of the key findings of the year one Scientific Advisory Committee's ChE monitoring report was distributed. The final report should be completed in the near future and will describe the actual experience in year one in greater detail and will present analyses that underlie the

conclusions presented in the draft report. The structure of the final report will include background information, an overall description of the ChE monitoring program, lab data quality, analysis of year one results, the evaluation of monitoring implementation, a summary section and a question and answer section.

This is the planned report timeline:

- The scientific team will provide their draft report by November 12.
- WISHA staff will meet with the Stakeholder Advisory group on November 8th and 22nd and a draft of the group's recommendations should be provided to WISHA by December 1, 2004.
- WISHA staff will meet with the Department of Health on November 23rd.
- A report to the 2005 Legislature will be drafted sometime later in December 2004.

Stefan said if anyone was interested in a copy of the scientific team report to please contact him.

Ergonomics WRD Discussion – Michael Wood

An updated draft dated September 27, 2004 was distributed that incorporates changes suggested at the previous WAC meeting. A letter from the Associated General Contractors (AGC) dated October 15 was also distributed. The draft was discussed by both the committee and members of the audience.

There were several requests to extend the comment period and Michael agreed to make a decision on whether to do so by November 12, noting that L&I had already committed to meet with the AGC before finalizing the document. On November 12, Michael extended the comment period until at least November 26.

John Carlson of the AGC offered to present an overview of the AGC ergonomics program at a future WAC meeting; several members of the committee expressed interest.

Miscellaneous:

Sharon Ness requested time on the February 2005 meeting agenda for discussion on WISHA first aid/CPR requirements.

Next Meeting – All

The next meeting of the WISHA Advisory Committee is scheduled for February 9, 2005, in the L&I Headquarters building, from 9:00 a.m. to noon in S126.

With no further business, the meeting was adjourned.

Tentative agenda items for February:

- SHARP Update
- First Aid/CPR Requirements
- AGC Ergonomics Program Presentation and Discussion
- Ergonomics WRD discussion

Action Items:

| WHO | WHAT |
|----------------------|--|
| Gerald Franks | Send the committee and interested parties contact information for Stefan Dobratz (COMPLETED) |
| Gerald Franks | Send the committee and interested parties the ergonomics WRD comment extension date (COMPLETED) |

Future meetings:

June 8, 2005 from 9:00-noon in room S126

September 14, 2005 from 9:00-noon in room S117

November 9, 2005 from 9:00-noon in room S117